

ESAB AB
Serial Number: 09/582,003
Attorney Docket Number: 11412
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DT17 Res'd PTO 02 DEC 2002

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: ESAB AB

Serial Number: 09/582,003

Filed: June 19, 2000

For: WELDING APPARATUS

Docket Number: 11412

)
) Attention: Cynthia M. Kratz
)
) PCT Legal Office
)
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**PETITION UNDER 37 C.F.R. 1.182 TO CORRECT THE SERIAL NUMBER
ON RESPONSE AND FOR REFUND OF FEE**

Hon. Commissioner of
Patents and Trademarks
Box DAC
Washington, D.C. 20231

November 27, 2002

Sir:

Applicant petitions under 37 C.F.R. 1.182 to correct the Serial Number on the Response dated September 1, 2000 and for a refund of the fee related to the Petition to Revive.

The above identified application became abandoned for Applicant's purported failure to file a timely and proper response to a Notice or Action by the United States Patent and Trademark Office.

On July 12, 2000, the Patent and Trademark Office sent Applicant a Notification of Missing Requirements. On September 1, 2000, Applicant timely filed a Response to Notification of Missing Requirements and Assignment together with a check for \$280. The Serial Number on the response was listed as 09/582,005. As a result, the response was misfiled. The response was ultimately located in the file related to Application 09/582,005. On January 11, 2002, the Patent and Trademark Office sent a Notification of Abandonment based on Applicant's purported failure to respond to the Notification of Missing Requirements. On February 7, 2002, Applicant submitted a Petition to Withdraw Abandonment – which was denied. On April 3, 2002, Applicant filed a Petition for Revival enclosing a copy of the earlier filed response and cancelled check.

The response filed September 1, 2000 was filed with an incorrect Serial Number. The correct Serial Number is 09/582,003. Accordingly, Applicant respectfully requests that the

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Serial Number on the Response to Notification of Missing Requirements and Assignment (a copy of which is enclosed herewith) be corrected to Serial Number 09/582,003.

In addition, because the Response to Notification of Missing Requirements was timely filed the application should not have become abandoned. Accordingly, Applicant requests a credit of the fee submitted with the Petition for Revival dated April 3, 2002 of \$1280 to Deposit Account Number 04-2219.

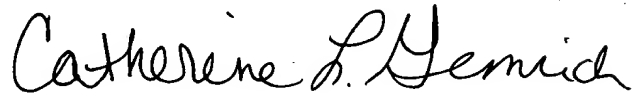
Enclosed please find a substitute Declaration of Inventorship and a Power of Attorney.

Please note, the Docket Number for the case changed from C36465 to 11412.

A check for \$130 to cover the Petition fee under 1.17(h) is enclosed.

The Commissioner is authorized to charge or credit Applicant's Deposit Account Number 04-2219 with any over or underpayment.

Respectfully submitted,

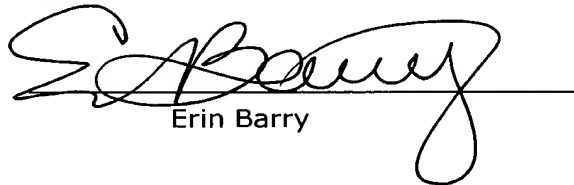


Catherine L. Gemrich
Attorney Registration No. 50473
Attorney for Applicant

DRUM & ROTH
53 WEST JACKSON BOULEVARD
CHICAGO, ILLINOIS 60604-3606
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being sent via facsimile to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on November 27, 2002.


Erin Barry

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ORUM & ROTH
INTELLECTUAL PROPERTY LAW
COMMERCIAL LAW
LITIGATION

99 WEST JACKSON BOULEVARD
 CHICAGO, ILLINOIS 60604-3606 U.S.A.

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**DECLARATION FOR UTILITY OR
 DESIGN
 PATENT APPLICATION
 (37 CFR 1.63)**

☐ Declaration
 Submitted with
 Initial Filing

OR

☒ Declaration
 Submitted after
 Initial Filing
 (surcharge (37
 CFR 1.16 (e))
 required)

Attorney Docket Number: 11412

First Named Inventor: LARSSON, Rolf

Application Number: 09/582,003

Filing Date: June 19, 2000

Group Art Unit:

Examiner Name:

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

WELDING APPARATUS

(Title of the Invention)

the specification of which

☐ is attached hereto

or

☒ was filed on 19/06/2000 as United States Application Number or PCT International
 (DD/MM/YYYY)

Application Number 09/582,003 and was amended on 19/06/2000
 (if applicable). (DD/MM/YYYY)

I hereby state that I reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365 (b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (DD/MM/YYYY)	Priority Not Claimed	Certified Copy Attached? YES NO
97850179.9	Sweden	19/12/1997		X
PCT/SE98/02302	PCT	15/12/1998		X

Additional foreign application numbers are listed on a supplemental priority data sheet attached hereto:

DECLARATION-----Utility or Design Patent Application

Direct all
correspondence to:

☐

Customer Number
or Bar Code Label

OR

☒

Correspondence
address below

Name: Orum & Roth

Address: 53 West Jackson Boulevard

City: Chicago

State: IL

Zip: 60604

Country: U.S.A.

Telephone: 312.922.6262

Fax: 312.922.7747

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR: ☐ A petition has been filed for this undersigned inventor

Given Name

(first and middle [if any]): Rolf

Inventor's

Signature: *Rolf Larsson*

Family Name

or Surname: LARSSON

Date: 8/11 2002

Residence: City: LAXÅ

State:

Country: Sweden

Citizenship: Swedish

Mailing Address: Båverstigen 14, SE-695 31 LAXÅ, Sweden

City: State: Zip: Country:

NAME OF SECOND INVENTOR: ☐ A petition has been filed for this undersigned inventor

Given Name

(first and middle [if any]):

Family Name

or Surname:

Inventor's

Signature:

Date:

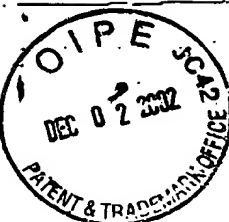
Residence: City: State: Country: Citizenship:

Mailing Address:

City: State: Zip: Country:

☐ Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) attached hereto.

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POWER OF ATTORNEY

UNITED STATES PATENT AND TRADEMARK OFFICE
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I(We)

Applicant(s):

ESAB AB
P.O. Box 8004
SE-402 77 Göteborg, Sweden

Do hereby authorize the following firm, and its attorneys listed below, to represent me (us) as applicant(s) or proprietors(s) to act for me (us) in proceedings before the United States Patent and Trademark Office concerning the following United States Patent Application(s) or Patent(s) and to receive payments on my (our) behalf:

Applicant(s): ESAB AB
For (title): WELDING APPARATUS
Application Number: 09/582,003
Date Filed: June 19, 2000

This authorization shall also apply to any proceedings under the Patent Cooperation Treaty.

Subauthorization may be given.

I (we) hereby revoke all previous authorization(s) in respect to the above application(s) or patent(s).

Address all telephone calls and correspondence to the below referenced firm.

Signature: *[Handwritten Signature]*

Date: November 8, 2002

Name: Kent Nilsson

Title: Patent Manager

Signature:

Name:

Title:

Date:

DRUM & ROTH
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CHICAGO, ILLINOIS 60604-3606
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